

# **BOARD OF DESIGN REVIEW MINUTES**

**June 12, 2003**

**CALL TO ORDER:** Chairman Mimi Doukas called the meeting to order at 6:30 p.m. in the Beaverton City Hall Council Chambers at 4755 SW Griffith Drive.

**ROLL CALL:** Present were Chairman Mimi Doukas; Board Members Cecilia Antonio, Jennifer Shipley, and Stewart Straus. Board Members Hal Beighley, Ronald Nardoza, and Jessica Weathers were excused.

Senior Planner Kevin Snyder, Senior Planner John Osterberg, Associate Planner Liz Shotwell, Senior Transportation Planner Don Gustafson, and Recording Secretary Sandra Pearson represented staff.

## **VISITORS:**

Chairman Doukas read the format for the meeting and asked if any member of the audience wished to address the Board on any non-agenda item. There was no response.

## **NEW BUSINESS:**

### **PUBLIC HEARING:**

Chairman Doukas opened the Public Hearing and read the format of the hearing. There were no disqualifications of Board Members. No one in the audience challenged the right of any Board Member to hear any agenda items or participate in the hearing or requested that the hearing be postponed to a later date. She asked if there were any ex parte contact, conflict of interest or disqualifications in any of the hearings on the agenda.

#### **A. DR 2003-0020 – CEDAR HILLS CROSSING MOVIE THEATER AND RETAIL BUILDING**

The applicant requests Type 3 Design Review approval for development of the subject site, including the construction of a movie theater (approximately 52,000 square feet in size), a retail building (approximately 6,000 square feet in size), and associated right-of-way, parking, and landscaping improvements.

Observing that the application for this proposal had been prepared by her firm, Chairman Doukas expressed her intention to recuse herself from participating in

this decision, adding that Mr. Straus will serve as Chair for the purpose of this application only.

Mr. Straus and Ms. Shipley indicated that they had visited the site.

Chairman Doukas passed the gavel to Mr. Straus and left the dais.

Associate Planner Liz Shotwell presented the Staff Report and briefly described the application and three additional applications associated with this proposal, observing that these applications would be reviewed separately. Concluding, she submitted the materials board, recommended approval of the application, subject to certain Conditions of Approval, and offered to respond to questions.

Acting Chairman Straus requested clarification with regard to the application for a Major Adjustment related to building height, specifically whether this information is included in the documents being reviewed at this time.

Ms. Shotwell responded that the Major Adjustment is to be heard by the Planning Commission, adding that one of the Conditions of Approval provides that the Design Review approval is valid upon the ultimate approval of the Major Adjustment request (ADJ 2003-0006).

Acting Chairman Straus indicated that this should be clarified within the applicant's presentation.

**APPLICANT:**

**MARK PERNICONI**, representing *CE John Company, Inc.*, introduced members of the development team, including Mark Feldman, architect for the theater building representing *Century Cinemas*; Gary Rommel, architect for the retail building representing *The Rommel Architectural Partnership*; Andy Reiter representing *WRG Design, Inc.*; Alisa Pyszka, representing *WRG Design, Inc.*; Stephanie Burns, representing *Century Cinemas*; and Glen Blackwelder, Traffic Engineer representing *Kittelson & Associates, Inc.* He expressed his appreciation to staff, particularly Ms. Shotwell, for her efforts on behalf of the developer, adding that the applicant concurs with both the Staff Report and recommended Conditions of Approval. He described the progress at Cedar Hills Crossing, including the tenants, features, and uses, emphasizing that the applicant is attempting to add a new physical dimension to the property, as well as providing entertainment, connectivity and increased automobile and pedestrian access. He referred to pictures illustrating the site and the theater connection to mall, noting that this connection would be provided through what he referred to as a brand new west mall. He explained that the proposal has doubled access for automobile traffic and quadrupled the pedestrian access to the site, noting that a new bus stop would be added on SW Hocken Avenue adjacent to both the mall entry and the cinema.

**GARY ROMMEL**, representing *The Rommel Architectural Partnership*, explained that the 6,000 square foot retail building would provide a link between the redevelopment of the west elevation and the theater building. Observing that the applicant has carried the same theme onto the west side of the mall, he noted that this includes the brick masses that flank the sides of the entryway as well as some fabric treatment and stucco treatment. He pointed out that the building itself is simple, in order to allow for some flexibility within the building for marketability for many types of uses. He described the outside of the building, including two brick masses at the end of the building, with a stucco feature that spans between, noting that the surrounds the openings with a pre-cast base of two different colors, including a buff-colored concrete and a light gray base. He mentioned that the brick itself is a sort of a mid-toned color, adding that a darker accent band is located at the top of the building. He discussed a major linkage from the west entry of the mall up to a plaza space in front of the theater, observing that there is a street tree concept in front of the retail building, with primarily concrete, accented walks and a treescape in front with steel gates. Pointing out that the applicant is attempting to provide an urban feel on this connector between the two buildings, he noted that in an attempt to soften the asphalt areas, they had provided as much landscaping as possible.

**MARK FELDMAN**, representing *Century Theatres*, pointed out that they have been constructing new theaters for approximately eight years, emphasizing that these theaters provide a new concept, creating an exciting theater experience that begins at the entry. He provided some illustrations of similar theater projects that he had been involved, noting that the features include bold colors, neon at the entry, articulated cornice pieces, signage, murals, and other various elements that provide an attractive and exciting experience. Observing that custom carpeting is designed for each individual theater, he pointed out that all lobbies have unique character and features. He mentioned that the 16 auditoriums would provide a variety of sizes, ranging from 108 seats to 299 seats, allowing for a greater variety of movies, including independent movies. He provided an illustration indicating the proposed elevation and colors and materials, adding that the reason for the height is due to the size of the auditoriums. He explained that the proposal provides a great deal of articulation, utilizing simple forms and bright colors.

Acting Chairman Straus requested clarification with regard to the dash line across the illustration.

Mr. Feldman explained that the dash line depicts the adjustment beyond the 35-foot limit, reiterating that this is necessary to accommodate the auditoriums, specifically for sound and vibration purposes.

Acting Chairman Straus requested that Mr. Feldman return to the floor plan, observing that a typical entrance is located at the rear of the auditorium.

Mr. Feldman clarified that the entrance and exit are both located at zero elevation.

Acting Chairman Straus suggested the possibility of dropping the auditoriums down into the ground, noting that he is concerned with the applicant's presentation of the design implications at the level of the Planning Commission.

Mr. Feldman mentioned accessibility issues, emphasizing that the proposal provides handicapped accessibility that would be extremely difficult if the auditoriums were dropped down into the ground.

**ALISA PYSZKA**, representing *WRG Design, Inc.* pointed out that the applicant would also be submitting an application for a Conditional Use to accommodate extended hours of operation, emphasizing that the extended hours associated with a theater would interact with the other uses in the area, including the restaurants and food court. She clarified other issues preventing the applicant from lowering the auditoriums down into the ground, emphasizing that because the site is located near a wetland, the geotechnical report with regard to soils conditions indicated that it would be prohibitive to go down deeper into the site.

Acting Chairman Straus mentioned the vehicle drive behind the existing mall, and questioned whether this would provide a connection to be utilized by the public or would it remain a service area.

Mr. Perniconi advised Acting Chairman Straus that it would be difficult to make this area attractive for public use, emphasizing that it is basically the loading area for *Winco Store* and *Best Buy Store*.

Acting Chairman Straus questioned whether landscaping is proposed in this area.

Mr. Perniconi informed Acting Chairman Straus that the applicant intends to add as much landscaping as possible in this area.

Ms. Antonio questioned whether the mall would be open to the public after midnight.

Ms. Pyszka advised Ms. Antonio that this particular portion of the mall would be included in the application for extended hours in order to allow public access to the parking lot after mall hours.

Acting Chairman Straus requested a comparison of the 45-foot height proposed for the theater as it relates to the height of the other components at the site.

Mr. Perniconi advised Acting Chairman Straus that the existing sign at the north entry at the top of the *Best Buy Store* is 45-feet in height, the top the *Old Navy Store* arch is 39-feet in height, and the top of the *Winco Store* canopy is greater than 35-feet in height.

Acting Chairman Straus expressed his opinion that the while the basic needs might involve more than what the height restriction would allow, the applicant has gone sufficiently far beyond the minimum mitigation necessary to accommodate these revisions.

Ms. Shipley questioned whether the proposal includes any neon.

Mr. Feldman showed on the illustration the lines of neon at the front and the strip of neon along the top parapet, adding that the proposal provides for one strip of neon, with the exception of the entry and box office area, adding that this is on the front and sides, rather than in the back.

**PUBLIC TESTIMONY:**

No member of the public appeared to testify with regard to this application.

Ms. Shotwell indicated that she had no further comments with regard to this proposal.

The public portion of the Public Hearing was closed.

Ms. Antonio, Ms. Shipley and Acting Chairman Straus all expressed their support of the proposal.

Ms. Antonio **MOVED** and Ms. Shipley **SECONDED** a motion to **APPROVE** based upon, dated June 5, 2003, including

Ms. Antonio **MOVED** and Ms. Shipley **SECONDED** a motion to **APPROVE** DR 2003-0020 – Cedar Hills Crossing Movie Theater and Retail Building Type 2 Design Review, based upon the testimony, reports and exhibits presented during the public hearings on the matter and upon the background facts, findings and conclusions found in the Staff Report dated June 5, 2003, including Conditions of Approval Nos. 1 through 24.

Motion **CARRIED**, by the following roll call vote:

<b>AYES:</b>	Antonio, Shipley, and Straus.
<b>NAYS:</b>	None.
<b>ABSTAIN:</b>	Doukas.
<b>ABSENT:</b>	Beighley, Nardozza, and Weathers.

Chairman Doukas returned to the dais and reclaimed the gavel from Acting Chairman Straus.

**APPROVAL OF MINUTES:**

The minutes of May 8, 2003, as written, were submitted. Chairman Doukas asked if there were any changes or corrections. Ms. Shipley requested that paragraph 4 of page 2 be amended, as follows: “Ms. Shipley ~~expressed her opinion that the rock walls at Home Depot resemble burial mounds and~~ questioned whether the Board of Design Review has any authority to discourage ~~this~~ the type of design **featured on the rock walls at Home Depot.**” Ms. Shipley requested that paragraphs 7 through 9 of page 3 be amended, as follows: “Ms. Weathers mentioned that natural lighting should be encouraged, adding that the Board should have the authority to require a certain amount of windows in a structure. ~~Ms. Shipley~~ **She** pointed out that windows provide lighting and ventilation, as well as a potential escape route. ~~Ms. Shipley~~ **She** noted that it is also necessary to consider the direction of the sun on different sides of a structure, as well as the exposure to different units.” Ms. Shipley **MOVED** and Chairman Doukas **SECONDED** a motion that the minutes be adopted, as amended.

The question was called and the motion **CARRIED** unanimously, with the exception of Ms. Antonio, Mr. Nardoza, and Mr. Straus, who abstained from voting.

The minutes of May 29, 2003, as written, were submitted. Observing that she had been the only member of the Board of Design Review in attendance at this meeting, Chairman Doukas **APPROVED** the minutes as written and submitted.

7:22 p.m. – Senior Transportation Planner Don Gustafson left.

**STAFF COMMUNICATION:****WORK SESSION:**

Work session with staff to review the Design Review Process Update Project. The Board will finish its review of the industrial element of the proposed updates and will also renew the multiple use elements. The Design Review Process Update project is developing potential updates to the current Development Code design review process and approval criteria. The Code Review Advisory Committee (CRAC), which is a broad-based community advisory body, has been advising staff on the project which began in December 2002.

Observing that a great deal of the material has been reviewed, Senior Planner Kevin Snyder encouraged the Board to utilize this time to touch on the key issues in the Industrial and Multiple Use sections. Emphasizing that staff is working on any issues that have been discussed previously, he pointed out that it is not necessary to revisit these issues at this time. He explained that this process has evolved from 76 to 14 thresholds in the Design Review process, adding that the next Work Session is scheduled for June 26, 2003. He pointed out that the next CRAC Meeting is scheduled for Tuesday, June 17, 2003, adding that he anticipates that this will be the final meeting.

Chairman Doukas noted that she would not be available on June 26, 2003.

7:27 p.m. – Ms. Shotwell left.

Mr. Snyder discussed the Industrial Element -- Industrial Building Design Standards, specifically Elevation Design, as follows:

1. Provide articulation and variety for industrial buildings.
2. Provide roof forms as unifying elements.
3. Design entrances for safety, convenience and comfort.

Mr. Snyder pointed out that staff had cautioned against discounting the utilization of commercial cloth or vinyl awnings as a permanent architectural feature, emphasizing that these awnings must be installed and maintained correctly. He pointed out that staff is reviewing this issue in order to determine how it has been addressed by other jurisdictions.

Chairman Doukas expressed concern with problems created by moss on the cloth and vinyl awnings.

Mr. Snyder requested comments with regard to the Industrial Element -- Industrial Building Design Standards, specifically Elevation Design, as follows:

4. Provide high quality materials.

Emphasizing that staff is considering more than just a singular treatment, Mr. Snyder pointed out that they are attempting to provide a variety of treatments while introducing high quality materials onto the facades.

Referring to the buildings that had been constructed off of SW Millikan Way, Mr. Straus mentioned that while a great deal of articulation has been provided on these structures, he is not certain that these buildings would meet the standard described in these proposed amendments. He pointed out that additional requirements would be costly to the property owner, expressing his concern with potentially discouraging the establishment of viable businesses. He suggested establishing minimum standards and providing benefits for any applicant who goes beyond these standards.

Chairman Doukas mentioned the possible trade-off of reducing the size of the installation plant material in order to provide improved building materials.

Mr. Straus suggested that increasing the articulation of the base material of a building could eliminate the need to provide additional materials to establish a quality project.

Mr. Snyder questioned the possibility of combining articulation and high quality materials.

Chairman Doukas mentioned that the proposal references a variety of materials, rather than high-quality materials, noting that this is an attempt to limit the use of smooth, unfinished concrete. She pointed out that the emphasis is on avoiding the creation of a boring, monolithic building, noting that this could be achieved through shifting the building plans and appropriate materials, both of which could be addressed together.

Mr. Snyder noted that while the screening would remain the same, he is working on potential language with regard to measurement.

Mr. Snyder discussed the Industrial Element -- Industrial Circulation and Parking, specifically Vehicular Design Standards, as follows:

1. Provide connections to the public street system.
2. Locate solid waste facilities and similar improvements out of public view.
3. Locate permitted drive-through features on the on-site circulation system.

Mr. Snyder pointed out that staff is considering situations in which combinations of fencing and landscaping would be allowed, adding that staff is attempting to be as sensitive as possible with regard to the variety of combinations that are available.

Mr. Straus mentioned that while screening is appropriate for a drive-through, an enclosure is similar to an amusement park ride.

Mr. Snyder briefly discussed the consensus that had been reached at the last Board of Design Review Meeting.

Ms. Shipley expressed her concern with screening a work area so heavily that it creates a dangerous situation for an employee.

Mr. Snyder discussed the Industrial Element -- Industrial Circulation and Parking, specifically Pedestrian Design Standards, as follows:

1. Link building entrances to abutting public streets, other on-site buildings, parking areas and other facilities.
  - b. Where walkway connections between entrances and streets cross driveways or vehicular access aisles, a continuous raised crossing, a minimum of one (1) inch above finished grade, shall be provided, and shall be composed of a different paving material than the primary on-site paving material.



Mr. Snyder pointed out that while the pedestrian connections should be delineated in some manner, changing grades is not necessarily the appropriate method for addressing this issue.

Mr. Snyder discussed the Industrial Element -- Industrial Circulation and Parking, specifically Internal Circulation and Parking Design, noting that he is working on language to address concerns previously raised by the Board.

Mr. Snyder discussed the Industrial Element -- Industrial Circulation and Parking, specifically Internal Circulation and Parking Design Standards, as follows:

- 2.a. One (1) landscaped planter island shall be required for every twelve (12) contiguous parking spaces provided for employees and customers...

Mr. Snyder discussed the Industrial Element -- Industrial Circulation and Parking, specifically Vehicular Design, Pedestrian Design, and Internal Circulation and Parking Design.

Mr. Snyder discussed the Industrial Element -- Industrial Landscape, Open Space & Natural Environment Design Standards, as follows:

1. Minimum Landscaping Requirements

- a. At least fifteen (15) percent of the total gross lot area shall be landscaped. Environmentally sensitive areas and associated buffers and required buffers per the City's buffering matrix shall be counted towards the minimum landscape requirement. Aboveground landscaped water quality treatment facilities shall be counted toward the minimum landscape requirement.

Chairman Doukas questioned whether the gross lot area includes the perimeter street system right-of-way dedications.

Mr. Straus expressed his opinion that the 15% should be based upon the final land area.

Mr. Snyder commented that the 15% should involve only the developable area.

Chairman Doukas pointed out that the frontages could require additional right-of-way dedication.

Mr. Straus questioned whether a chapter of definitions would be provided.

Mr. Snyder advised Mr. Straus that staff would provide a chapter of definitions, without multiple definitions, emphasizing that it is necessary to define language that appropriately describes what is developable on the site following right-of-

way dedications and that this would allow for the inclusion of environmentally sensitive areas.

Mr. Straus observed that some of the requirements work together to become what he referred to as mutually defeating, emphasizing that it is not always feasible to satisfy all of these requirements. He suggested the possibility of allowing some flexibility with regard to issues such as height restriction or floor area ratio restrictions.

Mr. Snyder pointed out that this would create unique design challenges for a site. Observing that the City of Beaverton has become what he referred to as an infill-challenged community, he emphasized that it is difficult to address the numerous conflicts that exist.

Chairman Doukas stated that the guidelines involve a broad enough spectrum that it should be possible to use that flexibility, adding that the balance would accomplish a greater good.

Mr. Snyder explained that adjustments for variances apply only to Chapters 20 and 60, noting that these particular standards involve the guidelines review.

Mr. Straus emphasized that it is difficult to determine where a land use issue ends and a design issue begins.

Mr. Snyder advised Mr. Straus that this basically involves what he referred to as drawing a line in the sand.

Mr. Snyder discussed the Industrial Element -- Industrial Landscape, Open Space & Natural Environment Design Standards, Minimum Landscaping Requirements, Retaining Walls, Natural Environment, and Design Guidelines.

8:19 p.m. – Senior Planner John Osterberg left.

Mr. Straus questioned whether the Planning Commission, rather than the Board of Design Review, would continue to review design issues with regard to multiple application proposals.

Mr. Snyder advised Mr. Straus that there has been no change proposed to this procedure.

Emphasizing that the Planning Commission is better qualified to review other issues, Mr. Straus expressed his opinion that while it is advantageous for the applicant to avoid two separate review processes, the design issues should be reviewed by the Board of Design Review.

Mr. Snyder informed Mr. Straus that he would be happy to discuss his concerns with regard to the appropriate review of design issues with Development Services Manager Steven Sparks and Community Development Director Joe Grillo.

Mr. Straus pointed out that any applicant that is required to make a presentation to both decision-making bodies is dinged twice for fees and encounters two different potential delays in the process, depending on the nature of the proposal.

Observing that this is a good point, Mr. Snyder noted that he would attempt to address potential structural changes to Chapter 50.

Mr. Snyder discussed the Industrial Element -- Industrial Lighting Design, noting that No. 5 under Design Guidelines should be deleted.

Mr. Straus observed that there should be some maximum foot candle level allowed on site, as well as some maximum foot candle level allowable at the property line, adding that there should be no significant issue as long as there is a fairly even lighting level. He pointed out that the different types of fixtures should be addressed as a design element, noting that because most cases involve some type of a fixture where you can't see the light source, the design should be based upon the visual impact and it is not necessary to limit the type of fixture.

Mr. Snyder mentioned that this has been addressed in other jurisdictions by breaking down by light type, expressing his opinion that this seems fairly onerous.

Chairman Doukas noted that some of the car lots utilize excessive lighting that spills out and reflects into the neighborhoods, expressing her opinion that this is both unnecessary and extreme.

8:35 p.m. to 8:39 p.m. – recess.

Mr. Snyder discussed the Multiple Use Element, Multiple Use Building Orientation & Design, observing that staff's recommendation with regard to 1.a. with regard to building location along streets propose that buildings shall occupy a minimum of 50 percent of all street frontages along public streets proposes a reduction from 70% to 50%. Observing that 70% is onerous, he pointed out that the 50% standard is more common and achievable.

Mr. Straus expressed his opinion that while the 50% is reasonable in most areas, certain areas such as Murray Scholls would not even meet this 50% requirement.

Mr. Snyder explained that this had occurred because Murray Scholls is what he referred to as a Town Center-Sub Regional, which is in the Commercial zoning designation, rather than a true Town Center, emphasizing that this had come in under Commercial guidelines and involved a Planned Unit Development. Noting

that this zone was actually created for this specific site, he pointed out that this 50% standard is not applicable within the Commercial zoning designation.

Mr. Straus requested clarification with regard to multiple frontages, specifically whether the 50% involves the total lineal frontage or each individual frontage.

Chairman Doukas stated that this 50% should be based upon the building, rather than the street, adding that an applicant should not be penalized for having street frontage.

Mr. Snyder pointed out that while this standard would be workable in the downtown area, this same standard might be less feasible within the Town Center zoning designation.

Chairman Doukas questioned the availability of any parcels in the City of Beaverton with a size greater than 15 acres and a mixed use zoning designation, adding that it is necessary to consider the character of the properties and districts.

Mr. Snyder advised Chairman Doukas that it would be difficult to locate such a property with greater than ten acres.

Ms. Shipley expressed her opinion that it is difficult to conform to this type of standard without seeing the site, including how it has to be laid out, emphasizing that because this is not easy to apply, it needs to be more tied to a specific site.

Mr. Straus noted that it is necessary to provide greater specificity in the way this is defined, as well as identify an appropriate distance from the property line. He mentioned that it should be possible for the standards to vary with regard to zone in which they are located.

#### **MISCELLANEOUS BUSINESS:**

The meeting adjourned at 9:11 p.m.